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**DECLARATION AND POWER OF ATTORNEY
FOR CONTINUATION-IN-PART APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I verily believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the improvement in described and claimed in the specification entitled LITHIUM SECONDARY BATTERY

- a. ☐ attached hereto.
- b. ☒ filed on May 30, 2001 as Application Serial No. 09/870,372;

and that this application in part discloses and claims subject matter disclosed in my or our earlier filed pending application, Serial No. 09/114,323, filed July 13, 1998, the benefits of which are hereby claimed under 35 U.S. Code §120. I hereby state that I have reviewed and understand the contents of this application, including the claims, as amended by any amendment referred to above; and that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Under Title 35 U.S. Code §119, the priority benefits of the following foreign application(s) filed within one year prior to said earlier filed pending application are hereby claimed:

Japanese Application No. 9-202963 filed July 29, 1997
Japanese Application No. 9-331537 filed December 2, 1997

The following applications for patent or inventor's certificate on this invention were filed in countries foreign to the United States of America either (a) more than one year prior to said earlier filed pending application, or (b) before the filing date of the above-named foreign priority application(s): NONE

(If there are no corresponding applications, insert "NONE".)

As to any and all subject matter of this application which is not common to said earlier application, I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a), which occurred between the filing date of the prior application and the filing date of this application.

Under Title 35 U.S. Code §119, the priority benefits of the following foreign application(s) filed within one year prior to this application are hereby claimed:

The following applications for patent or inventor's certificate on such subject matter were filed in countries foreign to the United States of America either (a) more than one year prior to this application, or (b) before the filing of the immediately above-named foreign priority application(s): NONE

(If there are no corresponding applications, insert "NONE".)

I hereby appoint the following as my attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office:

Stephen P. Burr, Reg. No. 32,970
Kevin C. Brown, Reg. No. 32,402

All correspondence in connection with this application should be sent to:

Stephen P. Burr
BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068
Customer No.: 025191

Please direct telephone calls in connection with this application to: Stephen P. Burr, (315) 233-8300.

I hereby declare that I have reviewed and understand the contents of this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURES

Typewritten Full Name of Sole or First Inventor	Hiroshi	NEMOTO	
	Given Name	Middle Initial	Family
	Name		

* INVENTOR'S SIGNATURE

H. Nemoto

* DATE OF SIGNATURE

June	27,	2001
Month	Day	Year

Residence	Nagoya-city	JAPAN	
	City	State or Province	Country

Citizenship	JAPAN
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Post Office Address (insert complete mailing address including country)	126-401, Myoen-cho, Minami-ku Nagoya-city, Aichi-prefecture 457-0022 JAPAN
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Typewritten Full Name of Second Joint Inventor, if any

Teruhisa KUROKAWA
Given Name Middle Initial Family
Name

* INVENTOR'S SIGNATURE

T. Kurokawa

* DATE OF SIGNATURE

June 27, 2001
Month Day Year

Residence

Ama-gun JAPAN
City State or Province Country

Citizenship

JAPAN

Post Office Address
(insert complete mailing
address including
country)

210-3, Aza-Kamishibakiri, Ohaza-Kanieshinden
Kanie-cho, Ama-gun, Aichi-prefecture
497-0044 JAPAN

Typewritten Full Name of Third Joint Inventor, if any

Kenshin KITO
Given Name Middle Initial Family
Name

* INVENTOR'S SIGNATURE

Kenshin Kito

* DATE OF SIGNATURE

June 27, 2001
Month Day Year

Residence

Nagoya-city JAPAN
City State or Province Country

Citizenship

JAPAN

Post Office Address
(insert complete mailing
address including
country)

Yuniburu-Narumi-Sezon 1-111, 4-11, Hosone
Narumi-cho, Midori-ku
Nagoya-city, Aichi-prefecture
458-0827 JAPAN